

GUARDIANSHIP OF A MINOR

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DISCHARGE / TERMINATION **To Discharge or Terminate** **Appointment for a Minor**

How to End a Guardianship for a Minor
(Forms and Instructions)

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Packet Last Revised April 2006
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JGD1c – 5234



SELF-SERVICE CENTER

DISCHARGE OR TERMINATE GUARDIANSHIP FOR A MINOR

(Forms and Instructions)

This packet contains court forms and instructions to file to discharge or terminate the appointment of a guardian for a minor. The documents should appear in order as listed below. The items listed in **BOLD** are forms you will need to fill out, copy, and submit to the Court. The other items are information or instruction pages. **Do not copy or file the instructions** and other non-bold items.

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SELF-SERVICE CENTER

DISCHARGE OR TERMINATION OF APPOINTMENT AS GUARDIAN OF A MINOR(S)

CHECKLIST

YOU MAY USE THE FORMS AND INSTRUCTIONS IN THIS PACKET IF:

- ✓ You are the guardian of a minor, and you want to end the guardianship because the Minor
 - has turned 18, OR
 - no longer needs a guardianship, OR
 - has died. OR
- ✓ You are **NOT** the guardian of the Minor and you think the guardianship should end.

READ ME: It is very important for you to know that when you sign a court document, you may be helping or hurting your court case. Before you sign any court document, or get involved with a court case, it is important that you see a lawyer to make sure you are doing the right thing. The Self-Service Center has a list of lawyers who can give you legal advice and can help you on a task-by-task basis for a fee. If you want to know more about our list of lawyers and our list of mediators, ask the Self-Service Center staff.

SELF-SERVICE CENTER

PROCEDURES: HOW TO ASK THE COURT TO END A GUARDIANSHIP OF A MINOR

INSTRUCTIONS

STEP 1 COMPLETE THE PETITION: Complete a PETITION FOR TERMINATION OF GUARDIANSHIP. Write neatly and use **black ink**. Sign the Petition in front of a notary public or a Clerk of the Superior Court.

2 FILE OR MAIL: File or mail the **original and 4 copies** of the following documents to Juvenile Court Administration at whichever address your case is pending:

- **Original and copies** of the Petition and copy of minor's birth certificate;
- **8 x 11" self-addressed, stamped envelope** so the hearing date can be mailed to you.
- (if you are mailing the documents) A letter explaining **what you are sending and why**.

The Juvenile Court Clerk will file the **original** of the Petition for you, and then schedule the case for a hearing. Juvenile Court will mail the hearing date and time notice and conformed (date-stamped) copies of the Petition back to you if you have provided a self-addressed, stamped envelope. You need to keep one copy, give another to the Commissioner who will hear your case, and the other copies are to give notice to all interested parties.

The Juvenile Court addresses are:

PHOENIX:

Juvenile Court Clerk
3131 W. Durango Street
Phoenix, AZ 85009

MESA:

Juvenile Court Clerk
1810 S. Lewis Street
Mesa, AZ 85210-6201

3 GIVE NOTICE OF THE HEARING TO EVERYONE ENTITLED TO NOTICE:

You must give a **copy** of the Petition and Notice of Hearing to **all interested persons**. For more information about notice, see the Self-Service Center Information on Service and Notice.

You do not need to give formal notice by personal service, but you do need to **mail or deliver** the NOTICE OF HEARING. First class, prepaid postage mail is sufficient. Certified or Registered mail with return receipt is an extra step you can take to prove that the person you want to have notice received the notice.

You can also give notice by Publication in some cases. The following people should be given notice:

- the minor,
- If the minor is married, his/her spouse,
- If minor is unmarried, any living parent,
- the conservator, if the minor has one, unless the guardian is also the conservator;
- the guardian ad litem, if one was appointed by the Court.

4 COMPLETE AND FILE OTHER COURT PAPERS: At **least 15 days before the hearing** is scheduled, complete the PROOF OF NOTICE stating how and when you gave notice to all interested persons. Make **2 extra copies** of each of the following documents. Then file or mail the **original and 2 copies** of the following to Juvenile Court Clerk's office and bring your copy to the hearing:

- NOTICE OF HEARING;
- PROOF OF NOTICE;
- WAIVER OF NOTICE (if any was signed by interested parties);

Juvenile Court will file the originals for you and deliver the copies to the Commissioner assigned to the hearing. Remember to bring copies of your documents to the hearing.

5 COME TO THE HEARING: Be prepared to tell the Judge why the guardianship should end.

Note: If you or the minor live out-of-state, you may ask the Court in writing to allow you and/or the minor to appear telephonically. It is up to the Judge whether you can appear telephonically, or whether you and/or the minor must appear in person.

**ALL FORMS REFERRED TO IN THESE INSTRUCTIONS
ARE AVAILABLE FOR PURCHASE AT THE SELF-SERVICE CENTER,
OR FOR FREE ON THE WEB AT:**

http://www.superiorcourt.maricopa.gov/ssc/forms/forms_available.asp

Your Name: _____
 Your Address: _____
 Your City, State, Zip Code: _____
 Your Telephone Number: _____
 Attorney Bar Number (if applicable): _____
 Representing ☐ Self or ☐ Attorney for _____

SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

In the Matter of the Guardianship of

Case Number: JG _____

PETITION FOR TERMINATION OF GUARDIANSHIP OF A MINOR

A Minor

- 1. INFORMATION ABOUT MY APPOINTMENT:** I was appointed GUARDIAN and accepted the appointment on _____ (date).
My address is: _____

- 2. INFORMATION ABOUT THE MINOR:** The person for whom I am Guardian is: _____ Date of Birth ____/____/____.
(Name of Minor)

One of the following documents is attached to this Petition as proof of the minor's age:

- ☐ A copy of the minor's birth certificate; or
☐ A copy of the minor's drivers license.

- 3. REASON FOR TERMINATION OF THE GUARDIANSHIP:** (check one box)
- ☐ The need for the Guardianship has terminated because the minor reached the age of 18, on _____ (date); OR
☐ The need for the Guardianship has terminated because the rights of the parents are no longer suspended or terminated by parental consent, or circumstances, or by prior court order because (explain): _____

OR;

- ☐ The need for the Guardianship has terminated because the Minor has died. The date of death was _____ (Attach copy of death certificate).

Case No. _____

THEREFORE, I ask the court to enter an order terminating the Guardianship and discharging the named Guardian in Case Number JG_____

OATH OR AFFIRMATION AND VERIFICATION OF PETITIONER:

By signing this document I state to the Court, under penalty of perjury, that I have read this Petition and that all the information contained in it is true, correct and complete to the best of my knowledge and belief.

Signature of Petitioner

Subscribed and sworn to or affirmed before me this date:_____ by: _____

Notary

My commission expires:

OR

By: _____
Michael K. Jeanes, Clerk of Superior Court/ Deputy Clerk

OATH OR AFFIRMATION AND VERIFICATION OF FORMER MINOR (if applicable):

By signing this document, I state to the Court, under penalty of perjury, that I have read this Petition and that all the information contained in it is true, correct and complete to the best of my knowledge and belief.

Signature of (Former) Minor

Subscribed and sworn to or affirmed before me this date:_____ by: _____

Notary

My commission expires:

OR

By: _____
Michael K. Jeanes, Clerk of Superior Court/ Deputy Clerk

Petitioner's Name: _____
 Your Address: _____
 Your City, State, Zip Code: _____
 Your Telephone No: _____
 Attorney Bar Number (if applicable): _____
 Representing ☐ Self or ☐ Attorney for _____

Case No. JG _____

REQUEST FOR HEARING DATE FOR TERMINATION OF GUARDIANSHIP OF A MINOR and Instructions

- 1. Court Documents:** After you file the Petition with the Clerk's Office, take the following documents to Juvenile Court Clerk at either of the addresses listed below:

- a. Two court-stamped copies of the Petition for Termination and Discharge, AND
- b. Two completed copies of this Request form

PHOENIX: Juvenile Court Administration
 3131 W. Durango Street
 Phoenix, AZ 85009

MESA: Juvenile Court Administration
 1810 S. Lewis Street
 Mesa, AZ 85210

- 2. Scheduling your hearing:** Juvenile Court Administration will set a hearing date and time and write it on the line below, and will check the box of the location of the Judge or Commissioner assigned to hear this case.

BEFORE JUDGE/COMMISSIONER: _____

HEARING DATE AND TIME: _____, at _____ a.m. /p.m.

HEARING ADDRESS:

☐ 3131 W. Durango Street
 Phoenix, AZ 85009

☐ 1810 S. Lewis Street
 Mesa, AZ 85210

- 3. Completing your Notice of Hearing Form:** After Juvenile Court Administration returns this form to you with the hearing date, you can complete your Notice of Hearing form by adding the date and the name of the commissioner who will hear the case. Then you are ready to serve or give notice of the Petition and all the required papers to all the required persons.

SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

In the Matter of Guardianship of _____

Case Number JG _____

COURT ORDER TERMINATING GUARDIANSHIP OF MINOR

A Minor _____

THE COURT FINDS:

1. A sworn ***"Petition for Termination"*** of a Guardianship has been presented and reviewed.
2. Notice of the Petition was given as required by law or waived by all interested parties.
3. The Guardianship has ended because:
 - ☐ The Minor had reached the age of eighteen (18), OR
 - ☐ The rights of the parents to custody and care of the minor are no longer suspended or terminated by parental consent, or by circumstances or by prior court order.
 - ☐ The Minor died on _____ (date).

THE COURT ORDERS:

1. ☐ Granting the ***"Petition for Termination of the Guardianship"*** and discharging the guardian.
2. ☐ ***Other orders*** as follows: _____

DONE IN OPEN COURT: _____ JUDGE/COMMISSIONER _____